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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**LAURIE SELLARS, ROSE  
TROUTMAN, BETTY HUNT,  
GARY PARKS, RONNY  
BLANCHARD, EVELYN BONNEY,  
DENNIS J. BROWN, STEVE  
CHARBONNEAU, RANDEL M.  
COFFIN, WILLIAM J. CUDDY,  
STEVE DUMONT, DOUGLAS  
EDWARDS, PHIL D. EVANS,  
CHARLOTTE V. FREELAND,  
BRIAN HANCOCK, DAWN L.  
HENDERSON, CHRIS HILTON,  
STEVE HOPMAN, GREG M.  
HUHMAN, JEFF P. IRVIN,  
ROBERT JACKSON, MARION J.  
JAMESON, JAMES R. JENNINGS,  
KEITH KIMBERLIN, TIM  
KNUTSON, KEVIN LOSCHIAVO,  
NICK LOSCHIAVO, ERIC LOWE,  
LAURA MARCHANT, DANIEL W.  
MARTIN, KAHRI N. MYERS,  
MELVIN M. MYERS, RON J.  
O'DELL, KUM JA PARK, KERRY  
L. PARR, DANA K. PRICE,  
SOLOMON K. ROBINSON, TOM B.  
SCHROEDER, ALLEN  
SIMONEAUX, ELAINE SKINNER,  
GREGORY SMITH, JOAN SMITH,  
ALTA THOMPSON, KEITH  
TOWE, JENNIFER SMITHKEN  
WAITE, JACQUELINE L.  
WEHAGE, JIM A. WEISS,  
RUSSELL WILLIAMS, CHRIS  
ANDREWS, JOSEPH ATKERSON,  
AARON BAKER, GREGORY  
BATES, DYRL BLACK, GREGORY  
CAVENER, LISA CAVENER,  
NATHAN CHAMBERS, JEFF**

**Case No. 3:05-CV-1013-HA**

**SECOND AMENDED  
COMPLAINT AND DEMAND FOR  
JURY TRIAL**

**(Unpaid Wages)**

1 **CLAY, EARL COX, WESLEY**  
2 **DEMOSS, SCOTT DIGMAN,**  
3 **BRIAN EARLL, RICHARD ESSY,**  
4 **NANCY GRAVES, STEVE**  
5 **GRAVES, ROBERT HESS,**  
6 **RANDALL HOOD, STEVE**  
7 **LITTLETON, JOHN LOWE, DAVE**  
8 **MOREAU, LORRAINE MORRIS,**  
9 **DAVID MUNROE, KRISTOPHER**  
10 **NEWTON, BILL SELLARS,**  
11 **COREY SHOWALTER,**  
12 **CHRISTIAN SLATER, BARBARA**  
13 **STADSTAD, JEROME STEWART,**  
14 **KURT TAYLOR, MICHELLE**  
15 **TORRES, THOMAS WADOLFF,**  
16 **JAMES WALLINGTON,**

17 **Plaintiffs,**

18 **Vs.**

19 **SAFEWAY, INC.,**

20 **Defendant.**

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21 Plaintiff alleges:

22 **GENERAL ALLEGATIONS**

23 1.

24 This case has been brought for unpaid wages owed by defendant to  
25 plaintiffs.

26 2.

Defendant has removed this case from state court to this Court on the basis  
that the Court has federal-question jurisdiction. Venue would be proper because  
all acts complained of occurred in the District of Oregon.

1 3.

2 Plaintiffs are employed by, or were employed by, defendant at the  
3 Clackamas Bread Plant in Clackamas, Oregon.  
4

5 4.

6 Defendant is a Delaware corporation authorized to do business in this state.  
7

8 5.

9 During plaintiffs' employment with defendant, defendant has failed or failed  
10 to pay plaintiffs for the time they have spent or spent changing into laundered work  
11 uniforms and work shoes after arriving at the plant, as has been or was required of  
12 plaintiffs by defendant under its personnel policies and procedures.  
13

14 6.

15 Plaintiffs have demanded that defendant pay for the time spent in  
16 defendant's service, as set forth in the preceding paragraph, but defendant has  
17 refused to do so.  
18

19 **CLAIM FOR RELIEF**

20 **(ORS Chapter 652)**

21 7.

22 Defendant is liable to plaintiffs, and each of them, for unpaid wages and  
23 overtime in amounts to be determined at trial.  
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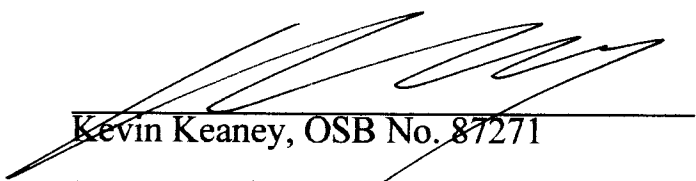
Defendant is liable for a penalty, where appropriate, under ORS 652.150 and  
for reasonable attorney fees and costs under ORS 652.200(2).

Plaintiffs demand trial by jury.

WHEREFORE, plaintiff prays for judgment as set forth above.

Dated this 14<sup>th</sup> day of October 2005.

KEVIN KEANEY PC



Kevin Keaney, OSB No. 87271

700 NE Multnomah Street  
Suite 1155  
Portland, Oregon 97232

Attorney for Plaintiffs

## **CERTIFICATE OF SERVICE**

I certify I served a true and accurate copy of the attached document on  
the following by regular USPS mail on October 14, 2005:

Rebecca Dean  
Preston Gates & Ellis  
925 Fourth Avenue, Ste 2900  
Seattle, Washington 98104



Kevin Keaney